

SED.26145

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**CAMILLA GANT,
Plaintiff,**

VS.

**BROOKFIELD PROPERTIES RETAIL
INC.,
Defendant.**

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§
§

CIVIL ACTION NO. 4:21-1239

DEFENDANT'S INDEX OF DOCUMENTS

The following exhibits are relied upon and incorporated by reference in Defendant
BROOKFIELD PROPERTIES RETAIL INC.'S ("Defendant") Notice of Removal:

1. State Court Docket Sheet;
2. Plaintiff's Original Petition, filed October 7, 2021;
3. Civil Process Request (service request form), filed October 7, 2021;
4. Citation issued to Brookfield on October 11, 2021, served on October 12, 2021;
5. Officer's Return, filed October 19, 2021;
6. Officer's Return (Duplicate), filed October 19, 2021;
7. Original Answer of Brookfield, filed November 5, 2021;
8. Letter Requesting Jury Trial, filed November 5, 2021; and
9. Vacation Letter of Thompson Du, filed November 8, 2021.

Respectfully submitted,

**FLETCHER, FARLEY, SHIPMAN
& SALINAS, L.L.P.**

/s/Douglas D. Fletcher

DOUGLAS D. FLETCHER

State Bar No. 07139500

Email: doug.fletcher@fletcherfarley.com

JULIA L. SINOR

State Bar No. 24032540

Email: julia.sinor@fletcherfarley.com

JOSEPH J. HARRISON

State Bar No. 24083143

Email: joe.harrison@fletcherfarley.com

9201 N. Central Expressway, Suite 600

Dallas, Texas 75231

(214) 987-9600 (office)

(214) 987-9866 (telecopier)

**ATTORNEYS FOR DEFENDANT
BROOKFIELD PROPERTIES RETAIL INC.**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing instrument was electronically filed via the Court's CM/ECF system and a true and correct copy of same was delivered to all counsel of record in accordance with the FEDERAL RULES OF CIVIL PROCEDURE on this the 10th day of November, 2021.

/s/ Douglas D. Fletcher

DOUGLAS D. FLETCHER

EXHIBIT 1



Tarrant County District Clerk Online

Thomas A. Wilder, District Clerk

Civil Case and Transaction Information

11/10/2021 9:26 AM

Court : 141 Case : 329569 Search New Search ☐ Show Service Documents ONLY

Cause Number : 141-329569-21

Date Filed : 10-07-2021

CAMILLA GANT

| VS |

BROOKFIELD PROPERTIES
RETAIL INC.

Cause of Action : INJURY OR DAMAGE, PREMISES

Case Status : PENDING

File Mark	Description		Assessed Fee	Credit/Paid Fee
10-07-2021	<u>PLTF'S ORIG PET</u>	N	<u>\$289.00</u>	
10-07-2021	<u>PAYMENT RECEIVED trans #1</u>	Y		<u>\$289.00</u>
10-07-2021	<u>SVC REQ FORM</u>			<u>\$0.00</u>
10-07-2021	<u>CIT-ISSUED ON BROOKFIELD PROPERTIES RETAIL INC-On 10/11/2021</u>	N Svc	<u>\$8.00</u>	
10-07-2021	<u>PAYMENT RECEIVED trans #4</u>	Y		<u>\$8.00</u>
10-19-2021	<u>OFFICER'S RETURN-BROOKFIELD PROPERTIES RETAIL INC</u>			<u>\$0.00</u>
10-19-2021	<u>CIT Tr# 4 RET EXEC(BROOKFIELD PROPERTIES RETAIL INC) On 10/12/2021</u>			<u>\$0.00</u>
11-05-2021	<u>DEFN'S ORIG ANS (BROOKFIELD PROP RETAIL INC)</u>			<u>\$0.00</u>
11-05-2021	<u>ATTY LTR REQ JURY TRL</u>			<u>\$0.00</u>
11-05-2021	<u>JURY FEE</u>	N	<u>\$40.00</u>	



11-05-2021	<u>PAYMENT RECEIVED trans #10</u>	 Y		<u>\$40.00</u>
11-08-2021	<u>VAC LTR (ATTY THOMPSON)</u>			<u>\$0.00</u>

EXHIBIT 2



Notice of Service of Process

null / ALL
Transmittal Number: 23908569
Date Processed: 10/12/2021

Primary Contact: Kara Pollock
Brookfield Properties Retail. - MAIN ACCOUNT
350 N Orleans St
Ste 300
Chicago, IL 60654-1607

Entity:	BROOKFIELD PROPERTIES RETAIL INC. Entity ID Number 3112574
Entity Served:	Brookfield Properties Retail Inc
Title of Action:	Camilla Gant vs. Brookfield Properties Retail Inc.,
Document(s) Type:	Citation/Petition
Nature of Action:	Personal Injury
Court/Agency:	Tarrant County District Court, TX
Case/Reference No:	141-329569-21
Jurisdiction Served:	Texas
Date Served on CSC:	10/12/2021
Answer or Appearance Due:	10:00 am Monday next following the expiration of 20 days after service
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	Jared W. Capps 214-307-6226

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

DELIVERED: 10/12/21
By: CecTHE STATE OF TEXAS
DISTRICT COURT, TARRANT COUNTY

CITATION

Cause No. 141-329569-21

CAMILLA GANT
VS.
BROOKFIELD PROPERTIES RETAIL INC.

TO: BROOKFIELD PROPERTIES RETAIL INC

B/S REG AGENT-CSC LAWYERS INCORPORATED 211 E 7TH ST STE 620 AUSTIN, TX 78701

You said DEFENDANT are hereby commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION at or before 10 o'clock A.M. of the Monday next after the expiration of 20 days after the date of service hereof before the 141st District Court, 100 N CALHOUN, in and for Tarrant County, Texas, at the Courthouse in the City of Fort Worth, Tarrant County, Texas said PLAINTIFF being

CAMILLA GANT

Filed in said Court on October 7th, 2021 Against
BROOKFIELD PROPERTIES RETAIL INC

For suit, said suit being numbered 141-329569-21 the nature of which demand is as shown on said PLAINTIFF'S ORIGINAL PETITION a copy of which accompanies this citation.

JARED W CAPPS

Attorney for CAMILLA GANT Phone No. (469)206-8210

Address 600 N PEARL ST STE 2205 DALLAS, TX 75201

Thomas A. Wilder, Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the 11th day of October, 2021.

By

Stacci Reynolds

STACCI REYNOLDS



A CERTIFIED COPY
ATTEST: 10/11/2021
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Stacci Reynolds

NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

Thomas A. Wilder, Tarrant County District Clerk, 100 N CALHOUN, FORT WORTH TX 76196-0402

OFFICER'S RETURN *14132956921000004*

Received this Citation on the _____ day of _____, _____ at _____ o'clock _____ M; and executed at _____ within the county of _____, State of _____ at _____ o'clock _____ M on the _____ day of _____, _____ by delivering to the within named (Def.): _____ defendant(s), a true copy of this Citation together with the accompanying copy of PLAINTIFF'S ORIGINAL PETITION, having first endorsed on same the date of delivery.

Authorized Person/Constable/Sheriff: _____

County of _____ State of _____ By _____ Deputy

Fees \$ _____

State of _____ County of _____ (Must be verified if served outside the State of Texas)

Signed and sworn to by the said _____ before me this _____ day of _____, _____

to certify which witness my hand and seal of office

(Seal)

County of _____, State of _____

CTH: 10/12/21
at 8:45 AM

141-329569-21

FILED
TARRANT COUNTY
10/7/2021 5:02 PM
THOMAS A. WILDER
DISTRICT CLERK

CAUSE NO. _____

CAMILLA GANT

Plaintiff,

v.

BROOKFIELD PROPERTIES RETAIL
INC.

Defendant.

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IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

Plaintiff, Camilla Gant (hereinafter, "Plaintiff") complains of Defendant, Brookfield Properties Retail Inc., (hereinafter, "Defendant"), and would respectfully show the Court that:

Discovery Control Plan

1. Plaintiff intends to conduct discovery in this matter under Level 3 of the Texas Rules of Civil Procedure.

Jurisdiction and Venue

2. The claims asserted arise under the common law of Texas. This Court has jurisdiction and venue is proper because all or a substantial part of the events or omissions giving rise to the claim occurred in Tarrant County, Texas.

Statement Regarding Monetary Relief Sought

3. Pursuant to Texas Rule of Civil Procedure 47(c), Plaintiff seeks monetary relief of no more than \$250,000.00, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorneys' fees and judgment for all other relief to which Plaintiff is justly entitled. Plaintiff further pleads that the amount in controversy in this matter does not exceed \$75,000.00.

Parties

4. Plaintiff is an individual residing in Tarrant County, Texas.

5. Defendant, Brookfield Properties Retail Inc., Texas (hereinafter “Defendant”), is a Delaware corporation engaged in business in Tarrant County, Texas. Defendant may be served with process by serving its registered agent, Corporation Services Company DBA CSC Lawyers Incorporated at 211 East 7th Street, Suite 620, Austin, TX 78701.

Facts

6. This lawsuit is necessary as a result of personal injuries that Plaintiff received on or about July 27, 2021. At that time, Plaintiff was an invitee at Defendant’s mall at 4800 S Hulen St, Fort Worth, TX 76132. Plaintiff was walking through the Defendant’s mall when she slipped and fell in a puddle of water and ice. The slip and fall caused the Plaintiff to suffer severe injuries to her body. There were no warning signs present or any other signs of caution near the area where the incident occurred. Plaintiff was not aware of the dangerous and defective condition.

7. At the time of the incident in question, Plaintiff was an invitee of the Defendant. Defendant knew or should have known of the unreasonably dangerous condition and neither corrected nor warned Plaintiff of it. Plaintiff did not have any knowledge of the dangerous condition and could not have reasonably been expected to discover it. Defendant either created the condition and/or failed to correct the condition or to warn Plaintiff about the dangerous condition, which constituted negligence, and such negligence was a proximate cause of the occurrence in question and Plaintiff’s resulting injuries.

8. Plaintiff would show that, based on the above-described facts, Defendant was negligent. Defendant, as occupier and owner of the premises, with control over the premises, had a duty to inform Plaintiff of the dangerous condition and make safe the defective condition existing on Defendant’s premises.

9. Defendant is liable to Plaintiff under the theory of premises liability and negligence based on the following negligent conduct:

- a. Failure to maintain the premises, including floor and walkways, in a reasonably safe condition;
- b. Failure to inspect the premises where the dangerous condition existed;
- c. Failure to correct the condition by taking reasonable measure to safeguard persons who entered the premises;
- d. Failure to inform Plaintiff of the dangerous condition existing on the premises; and
- e. Other acts deemed negligent.

10. Each of the foregoing negligent acts and/or omissions, whether taken singularly or in any combination, was a proximate cause of Plaintiff's injuries and damages that are described below.

11. Defendant was also negligent in that it failed to act as a reasonably prudent premise owner would act in the same or similar situation.

Damages

12. As a result of these acts or omissions, Plaintiff sustained damages recognizable by law.

13. By virtue of the actions and conduct of Defendant as set forth above, Plaintiff was seriously injured and is entitled to recover the following damages:

- a. Past and future medical expenses;
- b. Past and future pain, suffering and mental anguish;
- c. Past and future physical impairment;
- d. Past and future physical disfigurement; and
- e. Past lost wages and future loss of earning capacity.

14. By reason of the above, Plaintiff is entitled to recover damages from Defendant in an amount within the jurisdictional limits of this Court, as well as pre and post-judgment interest.

Jury Demand

15. Plaintiff hereby demands a jury trial.

Duty to Disclose

16. Pursuant to 194, Tex. R. Civ. P. exempted by Rule 194.2(d), Defendant must, without awaiting a discovery request, provide to Plaintiff the information or material described in Rule 194.2, Rule 194.3, and Rule 194.4.

Initial Disclosures

17. Pursuant to Rule 194, Tex. R. Civ. P., Defendant must, without awaiting a discovery request, provide information or materials described in Texas Rule of Civil Procedure 194.2 in Defendant's initial disclosure at or within 30 days after the filing of the first answer. Copies of documents and other tangible things must be served with Defendant's response.

Rule 193.7 Notice

18. Plaintiff hereby gives actual notice to Defendant that any and all documents produced may be used against Defendant at any pre-trial proceeding and/or at trial of this matter without the necessity of authenticating the documents.

Prayer

Plaintiff prays that this citation issues and be served upon Defendant in a form and manner prescribed by law, requiring that Defendant appears and answers, and that upon final hearing, Plaintiff has judgment against Defendant in a total sum in excess of the minimum jurisdictional limits of this Court, plus pre and post-judgment interest, all costs of Court, and all such other and further relief, to which she may be justly entitled.

[Signature block on next page]

Respectfully submitted,

DASPIT LAW FIRM

/s/ Jared W. Capps

Jared W. Capps

Texas State Bar No. 24085236

jcapps@daspitlaw.com

600 N. Pearl St., Suite 2205

Dallas, Texas 75201

Telephone: (214) 307-6226

Facsimile: (713) 587-9086

Email: e-service@daspitlaw.com

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Carla Vela on behalf of John Daspit
 Bar No. 24048906
 cvela@daspitlaw.com
 Envelope ID: 57996128
 Status as of 10/8/2021 8:15 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Alma Lira		Alira@proactivelegal.com	10/7/2021 5:02:46 PM	SENT
Carla Vela		cvela@daspitlaw.com	10/7/2021 5:02:46 PM	SENT
DLF Intake		intake@daspitlaw.com	10/7/2021 5:02:46 PM	SENT
Jaime Holder		jholder@proactivelegal.com	10/7/2021 5:02:46 PM	SENT
Jared W.Capps		jcapps@daspitlaw.com	10/7/2021 5:02:46 PM	SENT
Thompson Du		du@daspitlaw.com	10/7/2021 5:02:46 PM	SENT
John A Daspit	24048906	Eservice@daspitlaw.com	10/7/2021 5:02:46 PM	SENT

EXHIBIT 3

CIVIL PROCESS REQUEST

FILED

TARRANT COUNTY

10/7/2021 5:02 PM

THOMAS A. WILDER

DISTRICT CLERK

FOR EACH PARTY SERVED YOU MUST FURNISH ONE (1) COPY OF THE PLEADING
FOR WRITS FURNISH TWO (2) COPIES OF THE PLEADING PER PARTY TO BE SERVED

CASE NUMBER: _____ CURRENT COURT: _____

TYPE OF INSTRUMENT TO BE SERVED (See Reverse For Types): _____

FILE DATE OF MOTION: _____
Month/ Day/ Year

SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served):

1. NAME: _____

ADDRESS: _____

AGENT, (if applicable): _____

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): _____

SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE

☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____

☐ MAIL ☐ CERTIFIED MAIL

☐ PUBLICATION:

Type of Publication: ☐ COURTHOUSE DOOR, or

☐ NEWSPAPER OF YOUR CHOICE: _____

☐ OTHER, explain _____

2. NAME: _____

ADDRESS: _____

AGENT, (if applicable): _____

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): _____

SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE

☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____

☐ MAIL ☐ CERTIFIED MAIL

☐ PUBLICATION:

Type of Publication: ☐ COURTHOUSE DOOR, or

☐ NEWSPAPER OF YOUR CHOICE: _____

☐ OTHER, explain _____

ATTORNEY (OR ATTORNEY'S AGENT) REQUESTING SERVICE:

NAME: _____ TEXAS BAR NO./ID NO. _____

MAILING ADDRESS: _____

PHONE NUMBER: _____ FAX NUMBER: _____
area code phone number area code fax number

EMAIL ADDRESS: _____

SERVICE REQUESTS WHICH CANNOT BE PROCESSED BY THIS OFFICE WILL BE HELD FOR 30 DAYS PRIOR TO CANCELLATION. FEES WILL BE REFUNDED ONLY UPON REQUEST, OR AT THE DISPOSITION OF THE CASE. SERVICE REQUESTS MAY BE REINSTATED UPON APPROPRIATE ACTION BY THE PARTIES.

INSTRUMENTS TO BE SERVED:

(Fill In Instrument Sequence Number, i.e. 1st, 2nd, etc.)

ORIGINAL PETITION

_____ AMENDED PETITION

_____ SUPPLEMENTAL PETITION

COUNTERCLAIM

_____ AMENDED COUNTERCLAIM

_____ SUPPLEMENTAL COUNTERCLAIM

CROSS-ACTION:

_____ AMENDED CROSS-ACTION

_____ SUPPLEMENTAL CROSS-ACTION

THIRD-PARTY PETITION:

_____ AMENDED THIRD-PARTY PETITION

_____ SUPPLEMENTAL THIRD-PARTY PETITION

INTERVENTION:

_____ AMENDED INTERVENTION

_____ SUPPLEMENTAL INTERVENTION

INTERPLEADER

_____ AMENDED INTERPLEADER

_____ SUPPLEMENTAL INTERPLEADER

INJUNCTION

MOTION TO MODIFY

SHOW CAUSE ORDER

TEMPORARY RESTRAINING ORDER

BILL OF DISCOVERY:

ORDER TO: _____
(specify)

MOTION TO: _____
(specify)

PROCESS TYPES:

NON WRIT:

CITATION

ALIAS CITATION

PLURIES CITATION

SECRETARY OF STATE CITATION

COMMISSIONER OF INSURANCE

HIGHWAY COMMISSIONER

CITATION BY PUBLICATION

NOTICE

SHORT FORM NOTICE

PRECEPT (SHOW CAUSE)

RULE 106 SERVICE

SUBPOENA

WRITS:

ATTACHMENT (PROPERTY)

ATTACHMENT (WITNESS)

ATTACHMENT (PERSON)

CERTIORARI

EXECUTION

EXECUTION AND ORDER OF SALE

GARNISHMENT BEFORE JUDGMENT

GARNISHMENT AFTER JUDGMENT

HABEAS CORPUS

INJUNCTION

TEMPORARY RESTRAINING ORDER

PROTECTIVE ORDER (FAMILY CODE)

PROTECTIVE ORDER (CIVIL CODE)

POSSESSION (PERSON)

POSSESSION (PROPERTY)

SCIRE FACIAS

SEQUESTRATION

SUPERSEDEAS

Automated Certificate of eService

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 cvela@daspitlaw.com
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DLF Intake		intake@daspitlaw.com	10/7/2021 5:02:46 PM	SENT
Jaime Holder		jholder@proactivelegal.com	10/7/2021 5:02:46 PM	SENT
Jared W.Capps		jcapps@daspitlaw.com	10/7/2021 5:02:46 PM	SENT
Thompson Du		du@daspitlaw.com	10/7/2021 5:02:46 PM	SENT
John A Daspit	24048906	Eservice@daspitlaw.com	10/7/2021 5:02:46 PM	SENT

EXHIBIT 4

THE STATE OF TEXAS
DISTRICT COURT, TARRANT COUNTY

CITATION

Cause No. 141-329569-21

CAMILLA GANT

VS.

BROOKFIELD PROPERTIES RETAIL INC.

TO: BROOKFIELD PROPERTIES RETAIL INC

B/S REG AGENT-CSC LAWYERS INCORPORATED 211 E 7TH ST STE 620 AUSTIN, TX 78701

You said DEFENDANT are hereby commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION at or before 10 o'clock A.M. of the Monday next after the expiration of 20 days after the date of service hereof before the 141st District Court, 100 N CALHOUN, in and for Tarrant County, Texas, at the Courthouse in the City of Fort Worth, Tarrant County, Texas said PLAINTIFF being

CAMILLA GANT

Filed in said Court on October 7th, 2021 Against
BROOKFIELD PROPERTIES RETAIL INC

For suit, said suit being numbered 141-329569-21 the nature of which demand is as shown on said PLAINTIFF'S ORIGINAL PETITION a copy of which accompanies this citation.

JARED W CAPPS

Attorney for CAMILLA GANT Phone No. (469)206-8210

Address 600 N PEARL ST STE 2205 DALLAS, TX 75201

_____, Thomas A. Wilder, Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the 11th day of October, 2021.

By Stacci Reynolds Deputy
STACCI REYNOLDS

NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

Thomas A. Wilder, Tarrant County District Clerk, 100 N CALHOUN, FORT WORTH TX 76196-0402

OFFICER'S RETURN *14132956921000004*

Received this Citation on the _____ day of _____, _____ at _____ o'clock ____M; and executed at _____ within the county of _____, State of _____ at _____ o'clock ____M on the _____ day of _____, _____ by delivering to the within named (Def.): _____ defendant(s), a true copy of this Citation together with the accompanying copy of PLAINTIFF'S ORIGINAL PETITION, having first endorsed on same the date of delivery.

Authorized Person/Constable/Sheriff: _____

County of _____ State of _____ By _____ Deputy

Fees \$ _____

State of _____ County of _____ (Must be verified if served outside the State of Texas)

Signed and sworn to by the said _____ before me this _____ day of _____, _____

to certify which witness my hand and seal of office

(Seal)

County of _____, State of _____

CITATION

Cause No. 141-329569-21

CAMILLA GANT

VS.

BROOKFIELD PROPERTIES
RETAIL INC.

ISSUED

This 11th day of October, 2021

Thomas A. Wilder
Tarrant County District Clerk
100 N CALHOUN
FORT WORTH TX 76196-0402

By STACCI REYNOLDS Deputy

JARED W CAPPS

Attorney for: CAMILLA GANT

Phone No. (469)206-8210

ADDRESS: 600 N PEARL ST STE 2205

DALLAS, TX 75201

CIVIL LAW



14132956921000004

SERVICE FEES NOT COLLECTED

BY TARRANT COUNTY DISTRICT CLERK

ORIGINAL

EXHIBIT 5

141-329569-21

THE STATE OF TEXAS
DISTRICT COURT, TARRANT COUNTY

FILED
TARRANT COUNTY
10/19/2021 11:03 AM
THOMAS A. WILDER
DISTRICT CLERK

CITATION

Cause No. 141-329569-21

CAMILLA GANT
VS.
BROOKFIELD PROPERTIES RETAIL INC.

TO: BROOKFIELD PROPERTIES RETAIL INC

B/S REG AGENT-CSC LAWYERS INCORPORATED 211 E 7TH ST STE 620 AUSTIN, TX 78701

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CAMILLA GANT

Filed in said Court on October 7th, 2021 Against
BROOKFIELD PROPERTIES RETAIL INC

For suit, said suit being numbered 141-329569-21 the nature of which demand is as shown on said PLAINTIFF'S ORIGINAL PETITION a copy of which accompanies this citation.

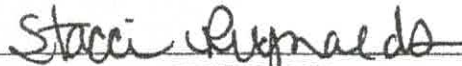
JARED W CAPPS

Attorney for CAMILLA GANT Phone No. (469)206-8210

Address 600 N PEARL ST STE 2205 DALLAS, TX 75201

Thomas A. Wilder, Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the 11th day of October, 2021.

By



STACCI REYNOLDS



Attest: THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: Stacci Reynolds

NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM, on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

Thomas A. Wilder, Tarrant County District Clerk, 100 N CALHOUN, FORT WORTH TX 76196-0402

OFFICER'S RETURN *14132956921000004*

Received this Citation on the _____ day of _____, _____ at _____ o'clock _____ M; and executed at _____ within the county of _____, State of _____ at _____ o'clock _____ M on the _____ day of _____, _____ by delivering to the within named (Def.): _____ defendant(s), a true copy of this Citation together with the accompanying copy of PLAINTIFF'S ORIGINAL PETITION, having first endorsed on same the date of delivery.

Authorized Person/Constable/Sheriff: _____

County of _____ State of _____ By _____ Deputy

Fees \$ _____

State of _____ County of _____ (Must be verified if served outside the State of Texas)

Signed and sworn to by the said _____ before me this _____ day of _____

to certify which witness my hand and seal of office

(Seal)

County of _____, State of _____

CTH: 10/12/21
at 8:45 AM

IN THE 141ST JUDICIAL DISTRICT
TARRANT COUNTY, TEXAS

CAUSE NO: 141-329569-21

CAMILLA GANT
VS
BROOKFIELD PROPERTIES RETAIL, INC.

RETURN

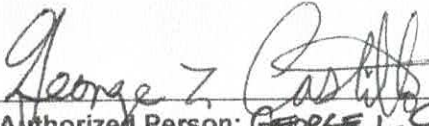
Came to my hand: 10/12/2021 , at 08:45 o'clock A.M. , the following specified documents:

- Citation
- Plaintiff's Original Petition

and executed by me on: 10/12/2021 , at 1:54 o'clock PM , at

211 E. 7TH STREET, SUITE 620, AUSTIN, TX 78701, within the county of TRAVIS, by delivering to BROOKFIELD PROPERTIES RETAIL, INC., by delivering to its registered agent, CORPORATION SERVICE COMPANY dba CSC-LAWYERS INCORPORATING SERVICE COMPANY, by delivering to SAMANTHA GUERRA, employee/managing agent, in person, a true copy of the above specified documents having first endorsed on such copy the date of delivery.

I am over the age of 18, not a party to nor interested in the outcome of the above numbered suit, and I declare under penalty of perjury that the foregoing is true and correct.

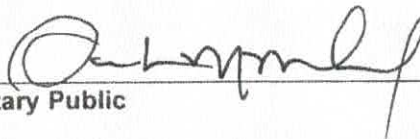

Authorized Person: GEORGE L. CASTILLO; PSC1440
Expiration Date: 9/1/30/2023

STATE OF TEXAS }

VERIFICATION

Before me, a notary public, on this day personally appeared the above named Authorized person, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements and facts therein contained are within his/her personal knowledge and experience to be true and correct. Given under my hand and seal of office on this the 12th day of October, 2021.




Notary Public

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 58316160

Status as of 10/19/2021 11:10 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
DLF Intake		intake@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT
John A Dasplit	24048906	Eservice@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT
Alma Lira		Alira@proactivelegal.com	10/19/2021 11:03:43 AM	SENT
Jared W.Capps		jcapps@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT
Jaime Holder		jholder@proactivelegal.com	10/19/2021 11:03:43 AM	SENT
Carla Vela		cvela@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT
Thompson Du		du@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT

EXHIBIT 6

141-329569-21

THE STATE OF TEXAS
DISTRICT COURT, TARRANT COUNTY

FILED
TARRANT COUNTY
10/19/2021 11:03 AM
THOMAS A. WILDER
DISTRICT CLERK

CITATION

Cause No. 141-329569-21

CAMILLA GANT
VS.
BROOKFIELD PROPERTIES RETAIL INC.

TO: BROOKFIELD PROPERTIES RETAIL INC

B/S REG AGENT-CSC LAWYERS INCORPORATED 211 E 7TH ST STE 620 AUSTIN, TX 78701

You said DEFENDANT are hereby commanded to appear by filing a written answer to the PLAINTIFF'S ORIGINAL PETITION at or before 10 o'clock A.M. of the Monday next after the expiration of 20 days after the date of service hereof before the 141st District Court, 100 N CALHOUN, in and for Tarrant County, Texas, at the Courthouse in the City of Fort Worth, Tarrant County, Texas said PLAINTIFF being

CAMILLA GANT

Filed in said Court on October 7th, 2021 Against
BROOKFIELD PROPERTIES RETAIL INC

For suit, said suit being numbered 141-329569-21 the nature of which demand is as shown on said PLAINTIFF'S ORIGINAL PETITION a copy of which accompanies this citation.

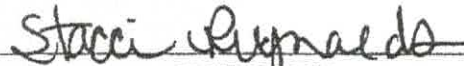
JARED W CAPPS

Attorney for CAMILLA GANT Phone No. (469)206-8210

Address 600 N PEARL ST STE 2205 DALLAS, TX 75201

Thomas A. Wilder, Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the 11th day of October, 2021.

By



STACCI REYNOLDS



Attest: THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: Stacci Reynolds

NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM, on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

Thomas A. Wilder, Tarrant County District Clerk, 100 N CALHOUN, FORT WORTH TX 76196-0402

OFFICER'S RETURN *14132956921000004*

Received this Citation on the _____ day of _____, _____ at _____ o'clock _____ M; and executed at _____ within the county of _____, State of _____ at _____ o'clock _____ M on the _____ day of _____, _____ by delivering to the within named (Def.): _____ defendant(s), a true copy of this Citation together with the accompanying copy of PLAINTIFF'S ORIGINAL PETITION, having first endorsed on same the date of delivery.

Authorized Person/Constable/Sheriff: _____

County of _____ State of _____ By _____ Deputy

Fees \$ _____

State of _____ County of _____ (Must be verified if served outside the State of Texas)

Signed and sworn to by the said _____ before me this _____ day of _____

to certify which witness my hand and seal of office

(Seal)

County of _____, State of _____

CTH: 10/12/21
at 8:45 AM

IN THE 141ST JUDICIAL DISTRICT
TARRANT COUNTY, TEXAS

CAUSE NO: 141-329569-21

CAMILLA GANT
VS
BROOKFIELD PROPERTIES RETAIL, INC.

RETURN

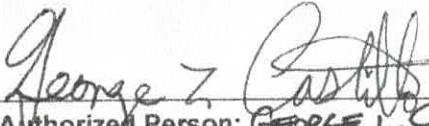
Came to my hand: 10/12/2021 , at 08:45 o'clock A.M. , the following specified documents:

- Citation
- Plaintiff's Original Petition

and executed by me on: 10/12/2021 , at 1:54 o'clock PM , at

211 E. 7TH STREET, SUITE 620, AUSTIN, TX 78701, within the county of TRAVIS, by delivering to BROOKFIELD PROPERTIES RETAIL, INC., by delivering to its registered agent, CORPORATION SERVICE COMPANY dba CSC-LAWYERS INCORPORATING SERVICE COMPANY, by delivering to SAMANTHA GUERRA, employee/managing agent, in person, a true copy of the above specified documents having first endorsed on such copy the date of delivery.

I am over the age of 18, not a party to nor interested in the outcome of the above numbered suit, and I declare under penalty of perjury that the foregoing is true and correct.

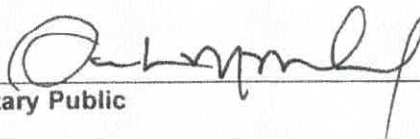

Authorized Person: GEORGE L. CASTILLO; PSC1440
Expiration Date: 9/130/2023

STATE OF TEXAS }

VERIFICATION

Before me, a notary public, on this day personally appeared the above named Authorized person, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements and facts therein contained are within his/her personal knowledge and experience to be true and correct. Given under my hand and seal of office on this the 12th day of October, 2021.




Notary Public

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 58316160

Status as of 10/19/2021 11:10 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
DLF Intake		intake@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT
John A Dasplit	24048906	Eservice@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT
Alma Lira		Alira@proactivelegal.com	10/19/2021 11:03:43 AM	SENT
Jared W.Capps		jcapps@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT
Jaime Holder		jholder@proactivelegal.com	10/19/2021 11:03:43 AM	SENT
Carla Vela		cvela@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT
Thompson Du		du@dasplitlaw.com	10/19/2021 11:03:43 AM	SENT

EXHIBIT 7

141-329569-21

FILED
TARRANT COUNTY
11/5/2021 1:35 PM
THOMAS A. WILDER
DISTRICT CLERK

SED.26145

CAUSE NO. 141-329569-21

CAMILLA GANT,	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
VS.	§	TARRANT COUNTY, TEXAS
	§	
BROOKFIELD PROPERTIES RETAIL	§	
INC.,	§	
Defendant.	§	141ST JUDICIAL DISTRICT

DEFENDANT'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW BROOKFIELD PROPERTIES RETAIL INC., Defendant in the above entitled and numbered cause, and files this its Original Answer and for same would respectfully show unto the Court as follows:

I.

General Denial

Defendant denies each and every, all and singular, the material allegations contained within Plaintiff's pleadings and demands strict proof thereof.

II.

Jury Demand

Defendant hereby, in accordance with Rule 216 of the Texas Rules of Civil Procedure, demands a trial by jury. Simultaneously with the filing of this demand, a jury fee is being paid on behalf of this Defendant.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the Plaintiff take nothing by this suit, that Defendant be awarded its costs, and for such other and further relief, both general and special, at law and in equity, to which Defendant may show itself justly entitled.

Respectfully submitted,

**FLETCHER, FARLEY, SHIPMAN
& SALINAS, L.L.P.**

BY: /s/Douglas D. Fletcher
DOUGLAS D. FLETCHER
State Bar No. 07139500
Email: doug.fletcher@fletcherfarley.com
JULIA L. SINOR
State Bar No. 24032540
Email: julia.sinor@fletcherfarley.com
JOSEPH J. HARRISON
State Bar No. 24083143
Email: joe.harrison@fletcherfarley.com
9201 N. Central Expressway, Suite 600
Dallas, Texas 75231
(214) 987-9600 (office)
(214) 987-9866 (telecopier)

**ATTORNEYS FOR DEFENDANT
BROOKFIELD PROPERTIES RETAIL INC.**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been mailed, telecopied, electronically served or hand delivered to all attorneys of record, in compliance with Rule 21a. of the Texas Rules of Civil Procedure, on this the 5th day of November, 2021.

/s/Douglas D. Fletcher
DOUGLAS D. FLETCHER

Automated Certificate of eService

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Douglas Fletcher on behalf of Douglas Fletcher
 Bar No. 07139500
 sheila.landua@fletcherfarley.com
 Envelope ID: 58903871
 Status as of 11/5/2021 3:05 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
DLF Intake		intake@dasplitlaw.com	11/5/2021 1:35:50 PM	SENT
John A Dasplit	24048906	Eservice@dasplitlaw.com	11/5/2021 1:35:50 PM	SENT
Alma Lira		Alira@proactivelegal.com	11/5/2021 1:35:50 PM	SENT
Jared W.Capps		jcapps@dasplitlaw.com	11/5/2021 1:35:50 PM	SENT
Jaime Holder		jholder@proactivelegal.com	11/5/2021 1:35:50 PM	SENT
Carla Vela		cvela@dasplitlaw.com	11/5/2021 1:35:50 PM	SENT
Thompson Du		du@dasplitlaw.com	11/5/2021 1:35:50 PM	SENT
Douglas DFletcher		sheila.landua@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Tara Peck		tara.peck@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Deborah Stick		deborah.stick@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Matthew B.Skidmore		matthew.skidmore@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Julia Sinor		julia.sinor@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Joe J.Harrison		joe.harrison@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT

EXHIBIT 8



FILED
TARRANT COUNTY
11/5/2021 1:35 PM
THOMAS A. WILDER
DISTRICT CLERK

9201 North Central Expressway
6th Floor
Dallas, Texas 75231
phone (214) 987-9600
fax (214) 987-9866
www.fletcherfarley.com

Douglas D. Fletcher
Advocate, American Board of Trial Advocates

doug.fletcher@fletcherfarley.com

November 5, 2021

Via eFiling

Ms. Yolanda Garza, Lead Clerk
141st Judicial District Court
Tom Vandergriff Civil Courts Building
100 North Calhoun Street, 3rd Floor
Fort Worth, Texas 76196

Re: Cause No. 141-329569-21
Camilla Gant vs. Brookfield Properties Retail, Inc.
141st Judicial District Court/Tarrant County, Texas
Our File No. SED.26145

Dear Ms. Garza:

This letter will serve as notice that we have requested via our eFiling service provider, ProDoc, that the jury fee be paid in this matter.

If you have any questions, please feel free to contact me.

Sincerely yours,

**FLETCHER, FARLEY, SHIPMAN
& SALINAS, L.L.P.**

Douglas D. Fletcher

DDF:sfl

cc: Mr. Jared W. Capps, *Via Email* jcapps@daspitlaw.com & e-service@daspitlaw.com
Daspit Law Firm
600 N. Pearl Street., Suite 2205
Dallas, Texas 75201

Automated Certificate of eService

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Douglas Fletcher on behalf of Douglas Fletcher
 Bar No. 07139500
 sheila.landua@fletcherfarley.com
 Envelope ID: 58903871
 Status as of 11/5/2021 3:05 PM CST

Case Contacts

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Carla Vela		cvela@dasplitlaw.com	11/5/2021 1:35:50 PM	SENT
Thompson Du		du@dasplitlaw.com	11/5/2021 1:35:50 PM	SENT
Douglas DFletcher		sheila.landua@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Tara Peck		tara.peck@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Deborah Stick		deborah.stick@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Matthew B.Skidmore		matthew.skidmore@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Julia Sinor		julia.sinor@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT
Joe J.Harrison		joe.harrison@fletcherfarley.com	11/5/2021 1:35:50 PM	SENT

EXHIBIT 9



DASPIT LAW FIRM

600 N. Pearl St., Suite 2205
Dallas, Texas 75201
Telephone: (469)-206-8210
Facsimile: (713) 587-9086

FILED
TARRANT COUNTY
11/8/2021 4:48 PM
THOMAS A. WILDER
DISTRICT CLERK

Thompson Du

Attorney

du@daspitlaw.com

November 08, 2021

Via E-File

District Clerk

Tarrant County District Court

Re: Camilla Gant v. Brookfield Properties Retail Inc.; Case No. 141-329569-21; In the 141st Judicial District Court of Tarrant County, Texas.

Dear Clerk:

Please allow this correspondence to serve as notice that I will be on vacation on the following dates:

February 3, 2022 – February 10, 2022

By copy of this letter, I am notifying all counsel of my vacation schedule and requesting all counsel refrain from noticing depositions or scheduling hearings during this time which would require a response and/or my attendance.

Regards,

/s/ Thompson Du

Thompson Du

cc: All Counsel of Record

Automated Certificate of eService

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Michael Walter on behalf of John Daspit
 Bar No. 24048906
 mwalter@daspitlaw.com
 Envelope ID: 58967349
 Status as of 11/8/2021 4:52 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
DLF Intake		intake@daspitlaw.com	11/8/2021 4:48:16 PM	SENT
Douglas DFletcher		sheila.landua@fletcherfarley.com	11/8/2021 4:48:16 PM	SENT
Tara Peck		tara.peck@fletcherfarley.com	11/8/2021 4:48:16 PM	SENT
Alma Lira		Alira@proactivelegal.com	11/8/2021 4:48:16 PM	SENT
Jaime Holder		jholder@proactivelegal.com	11/8/2021 4:48:16 PM	SENT
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Joe J.Harrison		joe.harrison@fletcherfarley.com	11/8/2021 4:48:16 PM	SENT
Thompson Du		du@daspitlaw.com	11/8/2021 4:48:16 PM	SENT
John Daspit		e-service@daspitlaw.com	11/8/2021 4:48:16 PM	SENT